

July 13, 2005

EX PARTE

Ms. Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

**Re: *Notice of Oral Ex Parte Presentation*
 IP-Enabled Services NPRM, WC Dkt. No. 04-36
 *E911 Requirements for IP-Enabled Service Providers, WC Dkt. No. 05-196***

Dear Ms. Dortch:

On July 12, 2005, Tekedra Jefferson, Assistant General Counsel, America Online, Inc.; Ragui Kamel, Senior Vice President and General Manager Voice Services, America Online, Inc.; Jim Tobin, Vice President and General Manager Advanced Voice Services, America Online, Inc.; and Steven Teplitz, Vice President and Associate General Counsel, Time Warner Inc. met first with Michelle Carey, Legal Advisor to Chairman Martin, and then with members of the Wireline Competition Bureau, including Thomas Navin, Christi Shewman, and Ian Dillner to discuss issues relating to the above-captioned proceedings.

America Online, Inc. ("AOL") stressed its strong commitment to public safety and to ensuring that its VoIP consumers have access to vital E911 and 911 emergency services. AOL has commissioned an E911 product cited by the FCC in the E911 Order to incorporate E911 (or 911, if the local PSAP only supports 911) in all of its retail VoIP plans and to enable such services by default. AOL has also committed to working with NENA to educate consumers about emergency services to increase awareness and diminish confusion.

To comply with the Commission's Customer Notification rules, AOL has worked diligently to develop an extensive process to notify current customers of the limitations of E911, including notifications by U.S. mail, electronic mail, telephone calls, voicemails and online pop-ups. For new customers, AOL has incorporated a specific E911 advisory in the registration path. AOL has also developed methods for capturing customer acknowledgements received from each of these different channels. Finally, AOL has created warning stickers to be placed on the telephone adapters used in conjunction with its VoIP service.

In light of AOL's interest in both complying with the E911 Order and in ensuring safety for its customers, AOL highlighted a few areas of concern under the Commission's rules. First, AOL discussed the limitations associated with updating an end user's registered location. Given the current delay in updating a registered location, an end user may actually move to a new

location and back to the original location (or even to a third location) before the initial update takes effect. On a related issue, AOL raised concerns about the breadth of the MSAG database, noting that there may be instances when a new location identified by a customer is not in the MSAG database. In those cases, it seems preferable for the user to still have E911 at his/her existing location and 911 access at other locations. Finally, AOL raised concerns about end users moving their VoIP service, permanently or temporarily, to a location within the U.S. where AOL does not support E911 capabilities. AOL explained that, in those instances, end users are better served by having access to 911, rather than losing their service, including all emergency calling features, entirely.

Finally, AOL discussed a new AOL service, which is an adjunct to its instant messaging service and will allow users to make voice calls. AOL explained why the service clearly differs from the services contemplated in the E911 Order. Among other things, end users are unlikely to have the same expectation that emergency services will be available over the instant message adjunct service.

Pursuant to Section 1.1206(b) of the Commission's rules, copies of this notice are being filed electronically in the above-captioned proceedings for inclusion in the public record. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Steven Teplitz
Vice President and Associate General Counsel

cc: Michelle Carey
Thomas Navin
Christi Shewman
Ian Dillner